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*Attorneys for Plaintiff and
Counterclaim-Defendant Moog Inc.*

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v

SKYRYSE, INC., ROBERT ALIN
PILKINGTON, MISOOK KIM, and
DOES NOS. 1-50,
Defendants.

CASE NO. 2:22-cv-09094-GW-MAR

**DECLARATION OF MICHAEL
K. HEINS IN SUPPORT OF
MOOG'S OBJECTION TO
VINCENT SOCCI**

1 SKYRYSE, INC.,
2 Counterclaimant,
3 v
4 MOOG INC.,
5 Counterclaim-Defendant.
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Discovery Cut-Off: April 12, 2024
Pre-Trial Conference: August 12,
2024; 8:30 a.m.
Trial: August 27, 2024

Hearing: June 28, 2023
Time: 8:30 a.m.
Judge: Hon. Margo A. Rocconi
Location: Courtroom 790, 7th Floor

1 I, Michael K. Heins, hereby declare and state as follows:

2 1. I am an attorney at Sheppard, Mullin, Richter & Hampton LLP, counsel
3 of record for the Plaintiff and Counterdefendant Moog Inc.. I am more than 18 years
4 old and a citizen of the United States, currently residing in California. I have per-
5 sonal knowledge of the matters set forth herein and if called as a witness, I could and
6 would competently testify herein. I provide this declaration in support of Moog's
7 Portions of the Joint Stipulation re: Skyryse's Motion to Overrule Moog's Objection
8 to Skyryse's Disclosure of Confidential Information to Vincent Socci.

9 2. Skyryse has disclosed ten experts to Moog as part of this litigation, not
10 including Mr. Socci. Eight of these experts have a technical background. A true
11 and correct copy of the eight technical expert curriculum vitae Skyryse served on
12 Moog are attached as Exhibit A to my declaration.

13 3. Attached as Exhibit B is a true and correct copy of correspondence be-
14 tween Skyryse's counsel and the Court.

15 4. Moog negotiated the Protective Order with Skyryse's previous counsel
16 Gibson Dunn. Moog specifically negotiated the Protective Order to make sure
17 Skyryse could not continue to have an unfair advantage in business and in this liti-
18 gation by relying on former Moog employees to review confidential Moog docu-
19 ments Skyryse should have never had access to in the first place.

20 5. Moog identified the names of its trade secret programs as part of
21 Moog's trade secret identification, served to Skyryse on February 21, 2023. *See*
22 Dkts. 475-05 and 475-06. As part of Moog's trade secret identification, Moog also
23 provided an Excel file listing the software files Moog alleged to be part of CUI Pro-
24 gram Trade Secret 5.

25 6. Skyryse's Opposition to Moog's Motion to Enforce Compliance With
26 March 11, 2022 Stipulated TRO and for Monetary and Adverse Inference Sanctions
27 was due on April 24, 2023. Skyryse filed its Opposition to that motion on April 24,
28 2023. Skyryse did not seek leave of court to extend its deadline to file its Opposition

1 pending its Motion to Overrule Moog's Objection to Skyryse's Disclosure of Con-
2 fidential Information to Vincent Socci.

3 7. Skyryse served Moog a draft joint stipulation on this issue on May 25,
4 2023. Skyryse served Mr. Socci's signed declaration to Moog on May 30, 2023.

5 8. The parties met and conferred on this issue on March 14, 2023. During
6 that call, I explained that Mr. Socci should be disqualified based on his confidential
7 relationship with Moog. I cited *Space Sys./Loral v. Martin Marietta Corp.*, No. 95-
8 20122, 1995 WL 686369, at *2 (N.D. Cal. Nov. 15, 1995) to Skyryse's counsel as
9 the legal authority for Moog's objection.

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11 I declare under the penalty of perjury that the foregoing is true and correct and
12 that this declaration was executed on June 5, 2023 in San Diego County, California.

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